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C O N F I D E N T I A L SECTION 01 OF 04 RABAT 001864

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SUBJECT: MOROCCO: KING CRITICIZED AT ELECTION ASSESSMENT

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Classified By: Polcouns Craig Karp for Reasons 1.4 (b) and (d)

Summary

11. (C) The final reports of the international and domestic election observation efforts praised the Government of Morocco's (GOM) execution of the September 7 elections. Speakers at the roll-out, hosted by the royally sanctioned human rights council, were blunt in their criticism of parties and, unusually, the king for their roles in the disappointing 37 percent electoral turnout, but congratulated the Ministry of Interior (MOI) for its newfound transparency.

Former Norwegian Prime Minister Kjell Bondevik, a Club of Madrid member, pressed Morocco on the need for fundamental constitutional reform, including a reduction of the king's role in political life. Prominent Moroccan academics and activists were even more explicit, with one stating that constitutional reform is irrelevant if the king does not respect constitutional limits. These comments were made in full view of TV cameras and GOM officials. There was general agreement on the need to establish an independent electoral commission. End Summary.

12. (U) The Consultative Council for Human Rights (CCDH), the National Democratic Institute (NDI) and the NGO Election Observation Collective (the NGO Collectif) convened a day-long seminar on December 14 at CCDH headquarters to present their observation reports and discuss their implications. Across the board, the heads of the three efforts praised the Ministry of Interior (MOI) for the transparent and efficient way in which the elections were conducted.

Foreigners Obliquely Criticize the King

13. (SBU) Former Norwegian Prime Minister and Club of Madrid member Kjell Bondevik said that Morocco had taken a significant step forward in its execution of the September elections, but that the 37 percent turnout demonstrated broad frustration with the political status quo. He said that the 2005 political party law, which was intended to improve financial transparency, promote party effectiveness and consolidate Morocco's "balkanized" parties by restricting public funding to parties that win at least 5 percent of the national vote, was well intentioned but insufficient. He said that the September balloting showed that people believe parliament is ineffective and irrelevant. Only constitutional reforms which give Parliament more legal

authority will give the institution credence. In a veiled stab at the Palace, he closed by emphasizing that "democracy means sharing power."

¶4. (U) Gerard Latulippe, NDI Morocco Director, said that 70 percent of Moroccans registered, but only 37 percent of that amount actually voted. Of the 37 percent, 19 percent of local list and 20 percent of the national list ballots were spoiled (reftel), so only 20 percent of registered voters cast a ballot for a party. He criticized political parties for an inability to mobilize the populace, but laid the bulk of the blame on a political system which "makes parliament powerless." He also raised the issues of improving handicapped access to polling stations, ensuring the neutrality of local level officials and lengthening the two-week-long campaign season to allow parties to address issues more substantively. He closed by saying that the international observer mission had complete cooperation from the MOI, but encouraged the GOM to codify observers' rights and responsibilities in order to avoid credentialling issues.

Moroccans Explicitly Criticize the King

¶5. (U) Prominent analyst and academic Mohammed Darif said that the 2005 party law clarified parties' role but, since the constitution does not allow power sharing with the king, it is irrelevant. (Note: Darif hesitated and stumbled a bit before actually saying the word "king". End Note.) He said that low participation was not necessarily a sign of poor party campaigning, but a result of Morocco's lack of a

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"democratic culture." He said that there is no moderate voice defending the idea and culture of civic engagement. Its current main proponents are Islamist parties and the far left, he stressed. Darif doubted that constitutional reform would have much of an effect, saying that Moroccans are culturally pre-disposed to look to the king for guidance and governmental efficiency, not politicians.

¶6. (U) Another academic, Mohammed Gallaoui, asked what was the point of reform if the King refused to respect constitutional limits. He said the current constitution actually provided Parliament with enough authority and prerogatives, but that the Palace habitually usurped the legislature's and government's legal position. He said that most parliamentarians and government officials referred to themselves as "obeying the king's orders," (Note: Most prominently, PM El Fassi. End Note.) which was emblematic of the larger problem. He also criticized parties for mirroring tribal authority structures, with the same regional and familial ties of allegiance. He accused parties of political "maraboutism," (i.e. developing a personality cult around leaders) and urged the government to address issues of clan-based corruption and the use of tribal pressure to force votes for a certain candidate, saying that this was the "fundamental heart of electoral subversion in Morocco."

¶7. (U) Abdelaziz Nouidi, a lawyer and President of the NGO Adala (Justice) pleaded for more effective anti-corruption activities in the pre-election period. He also suggested removing the re-districting process from the MOI's purview and giving it to a Parliamentary committee. The notional re-districting committee's decisions would have to be ratified by a council of judges, and appeals could be made to the Supreme Court. He also called for the establishment of an independent electoral commission. He closed by challenging parties and organizations (such as U.S. and internationally funded Daba 2007) to do a better job of encouraging participation in the political system, but commented that it is "hard to put shiny wrapping on a bad product to convince people to buy it." Activist Benyounis Marzouki echoed previous sentiments but pushed hard for the

GOM to seriously consider and adopt the three reports' recommendations.

18. (C) Throughout the proceedings, Ministry of the Interior (MOI) Governor Rachid Rguibi, a known hard-liner, listened without comment or expression. TV cameras from national stations covered the comments.

Reports' Conclusions

19. (U) All three reports generally agreed on the following points:

-The MOI's technical preparation and execution was excellent. National results were posted rapidly and discrepancies were corrected quickly and transparently. Precinct level results, however, have still not been published.

- The redistricting conducted in 2007 created unacceptable and significant discrepancies in the numbers of votes required to elect representatives. The NGO Collectif's report showed that in Ain Sbaa, each seat represented 83,000 residents, while in Madiag, only 23,000. International standards recommend that there should be no greater than a 25 percent difference from seat to seat.

- Voter registration went smoothly but, since there is no formal process governing the provision of voter registration lists to parties, questions were raised concerning the transparency of revisions made to the lists prior to the elections.

-Both the governmental and non governmental voter education efforts were praised for their creativity and breadth of information diffusion.

-Women were poorly represented in both candidate lists and within the parties' election management and observation efforts. The NGO Collectif and the CCDH reports showed that only one percent of party election observers were women. The CCDH's report stated that only two percent of overall candidates were women.

-Parties initially mounted serious, platform-based campaigns,

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but substance was often subsumed by personality as they chose well known candidates to run campaigns based on name recognition rather than issues.

-Parties and candidates were given appropriate access to the media. NDI's report expressed concern over increased media restrictions. The NGO Collectif broke coverage down by type and subject. Its survey of 10 party affiliated and 15 independent papers revealed the following: There were 3974 election related articles before the campaign season started, 2537 during the official two-week campaign period, and 1955 on election day. Fifteen percent of the overall stories related to violations of election law. Of these, 30 percent concerned vote-buying, 23 percent focused on illegal distribution or posting of campaign materials and 13 percent questioned authorities' neutrality. Thirty seven percent of party newspapers published articles related to women, while 60 percent of independent papers did. Only 15 percent of interviews were conducted with women.

-Voters who had not picked up their voting cards prior to election day had difficulty finding the appropriate polling station. Access to polling stations by those with special needs was also problematic.

-Party poll watchers were present at all stages of the process, adding to the overall perception of administrative transparency. The NGO Collectif's report was the most

critical of low level local officials for violating governmental neutrality.

-Fewer domestic observers than expected were deployed as they did not receive official credentials until the evening before elections began.

-Vote-buying was a serious issue in many areas, and its extent called into question the election's basic fairness. The NGO Collectif processed 7961 observer reports. There results showed that 25 percent of their observers witnessed illegal campaigning on election day. Eighteen percent witnessed bribery of some kind during the campaign season or on election day.

-The vote count went smoothly and party poll watchers generally received signed protocols showing results at the polling station to which they were assigned. Final results were posted promptly by general district.

-Results showed that only 37 percent of registered voters cast ballots. Of that amount, 19 percent of the local ballots and 28 percent of the national list ballots were blank, spoiled, or protest votes. These rates are considered higher than international norms.

-Parties and candidates continued to create unrealistic expectations among voters regarding the ability of lower house members of parliament (MP) to affect bread and butter issues such as road repair and jobs. When MPs cannot deliver on their electoral promises, the institutions reputation suffers further damage.

--The electoral law and districts in Morocco serve to fragment power within parliament, limiting its effectiveness and further undermining its reputation.

Recommendations

10. (U) All three reports had the following recommendations in common:

-Explore effective reforms aimed at re-engaging voters in the political process;

-Modify the electoral system and laws to minimize fragmentation of power in parliament;

-Formalize a system for parties to audit voter lists, and analyze revisions;

-Consider extending the campaign period longer than two weeks;

-Institute transparency of political party financing;

-Develop a mechanism for election day workers to vote via absentee ballot;

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-Facilitate easier access to polling stations for disabled persons;

-Pass into law clear guidelines for accrediting domestic and international observers;

-Empower an independent election commission to administer future elections;

-Increase women's political participation as candidates, party activists, and election administrators and observers;

-Amend polling procedures to help voters unable to pick up voter cards in advance of election day; and

-Promptly report precinct level data.

¶11. (U) We are sending a copy of the NDI Report to NEA/MAG

Comment

¶12. (C) Morocco deserves full credit for allowing extensive international and domestic monitoring of the September elections. Long-term issues related to endemic electoral corruption, an ineffective parliament, powers of the monarchy and lack of credible parties continue to hamper further reform. The blunt and public criticism leveled against the king during the seminar is an indicator of the level of concern over the implications of the low turnout on September ¶7. However, the generally rapid and transparent announcement of results on election day allowed both voters' and non-voters' messages to be clearly heard. As such, it is another example of how far Morocco has come in the field of human rights and freedom of expression. End comment.

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